

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-02290-KBJ**

YANOFSKY v. UNITED STATES DEPARTMENT OF
COMMERCE

Assigned to: Judge Ketanji Brown Jackson

Case: 1:16-cv-00951-KBJ-RMM

Cause: 05:552 Freedom of Information Act

Plaintiff

DAVID YANOFSKY

Date Filed: 07/31/2019

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

represented by **Adam Alexander Marshall**
REPORTERS COMMITTEE FOR
FREEDOM OF THE PRESS
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KatieLynn Boyd Townsend
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V.

Defendant

**UNITED STATES DEPARTMENT OF
COMMERCE**

represented by **Scott Leeson Sroka**
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DISTRICT OF COLUMBIA
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Date Filed	#	Docket Text
07/31/2019	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF COMMERCE (Filing fee \$ 400 receipt number 0090-6291511) filed by DAVID YANOFSKY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Summons as to United States Department of Commerce, # <u>12</u> Summons as to United States Attorney, # <u>13</u> Summons as to United States Attorney General)(Townsend, KatieLynn) (Attachment 1 replaced on 8/1/2019) (zeg). (Entered: 07/31/2019)
07/31/2019	<u>2</u>	NOTICE OF RELATED CASE by DAVID YANOFSKY. Case related to Case No. 16-cv-951. (Townsend, KatieLynn) (Entered: 07/31/2019)

08/01/2019		ENTERED IN ERROR.....Case Assigned to Judge Rudolph Contreras. (zeg) Modified on 8/1/2019 (zeg). (Entered: 08/01/2019)
08/01/2019		NOTICE OF CORRECTED DOCKET ENTRY: re Case Assigned was entered in error and will be directly assigned due to related case. (zeg) (Entered: 08/01/2019)
08/01/2019		Case Assigned to Judge Ketanji Brown Jackson. (zeg) (Entered: 08/01/2019)
08/01/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF COMMERCE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zeg) (Entered: 08/01/2019)
08/23/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/6/2019. (Answer due for ALL FEDERAL DEFENDANTS by 9/5/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF COMMERCE served on 8/5/2019, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 08/07/2019. (Townsend, KatieLynn) (Main Document 4 replaced on 8/26/2019) (zjf). (Entered: 08/23/2019)
08/23/2019	<u>5</u>	CERTIFICATE OF SERVICE by DAVID YANOFSKY re <u>2</u> Notice of Related Case . (Townsend, KatieLynn) (Entered: 08/23/2019)
08/26/2019	<u>6</u>	GENERAL ORDER AND GUIDELINES APPLICABLE TO FOIA CASES ASSIGNED TO JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Court's instructions for processing and production of records, batching motions, and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 8/26/2019. (lckbj1) (Entered: 08/26/2019)
09/05/2019	<u>7</u>	NOTICE of Appearance by Scott Leeson Sroka on behalf of UNITED STATES DEPARTMENT OF COMMERCE (Sroka, Scott) (Entered: 09/05/2019)
09/05/2019	<u>8</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF COMMERCE.(Sroka, Scott) (Entered: 09/05/2019)
09/06/2019		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall review this Court's <u>6</u> General Order and Guidelines Applicable to FOIA Cases, and promptly confer and file a joint proposed schedule for disclosure or briefing motions for summary judgment, on or before 9/20/2019. Signed by Judge Ketanji Brown Jackson on 9/6/2019. (lckbj1) (Entered: 09/06/2019)
09/20/2019	<u>9</u>	Joint STATUS REPORT by DAVID YANOFSKY. (Townsend, KatieLynn) (Entered: 09/20/2019)
09/30/2019		MINUTE ORDER setting briefing schedule for summary judgment: Defendant's Motion for Summary Judgment shall be served on or before 11/20/2019; Plaintiff's Opposition and Cross-Motion for Summary Judgment shall be served on or before 12/20/2019; Defendant's Reply and Cross-Motion Opposition shall be served on or before 1/10/2020; Plaintiff's Cross-Motion Reply shall be served on or before 1/24/2020; briefs shall be filed as a batch within three (3) business days of the service of the last reply brief authorized by this Minute Order, but in any event no later than the Final Filing Deadline of 3/6/2020. Signed by Judge Ketanji Brown Jackson on 9/30/2019. (lckbj1) (Entered: 09/30/2019)
11/20/2019	<u>10</u>	Consent MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF COMMERCE (Sroka, Scott) (Entered: 11/20/2019)
11/20/2019	<u>11</u>	NOTICE of Appearance by Adam Alexander Marshall on behalf of DAVID YANOFSKY (Marshall, Adam) (Entered: 11/20/2019)

12/03/2019		<p>MINUTE ORDER. The Appendix to this Court's <u>6</u> General Order and Guidelines for FOIA Cases provides that "[t]he parties are permitted to modify the schedule for serving their [summary judgment] filings on each other by consent, and without any Order from this Court." Appendix, 5(a)(iii). Indeed, a Court order extending the summary judgment briefing deadlines is only necessary if the proposed changes to the briefing schedule would require an extension of the final filing deadline. See id. 5(a)(ii)(2). Because Defendant has filed an unopposed motion to amend the summary judgment briefing schedule in a manner that would not require any change to the final filing deadline, no Court approval is needed. Accordingly, it is hereby ORDERED that Defendant's <u>10</u> Consent Motion for Extension of Time to File Motion for Summary Judgment is DENIED. Signed by Judge Ketanji Brown Jackson on 12/3/2019. (jag) (Entered: 12/03/2019)</p>
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